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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,323	03/26/2001	Barry Lynn Royer	2001P04784Us	8853

7590

06/24/2005

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

DAVIS, ZACHARY A

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/817,323

Applicant(s)

ROYER ET AL.

Examiner

Zachary A. Davis

Art Unit

2137

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 May 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): the rejection of Claim 22 under 35 U.S.C. 112, second paragraph.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive. In reference to the rejection of Claims 1-9, 11-15, 18, 20, 21, 23, and 24 under 35 U.S.C. 102(b), and specifically in reference to independent Claim 1, Applicant argues that the domain defined in Levergood is not a URL or an address portion of a URL. Applicant further states that the domain is defined as "a collection of controlled files... within one or more servers". The Examiner notes that if the domain includes a collection of files within a server, then the domain must include an identification and/or address for these files. Therefore, the Examiner believes that the domain can indeed include an address portion of a URL. Regarding Claim 2, Applicant further argues that Levergood discloses that an encryption key is used for an IP address and not a URL address portion; however, this argument was addressed above in reference to Claim 1, regarding the domain. Regarding Claim 3, Applicant argues that Levergood does not disclose sending the URL address portion to a managing application for encryption and that Levergood instead discloses redirecting to an authentication server for authenticating a session identifier; however, the Examiner agrees that Levergood discloses redirection to an authentication server (column 5, lines 44-49), and the Examiner further notes that Levergood discloses that the session identifier includes the domain and therefore the address, as discussed above. The Examiner further notes that Levergood discloses that the authentication server generates the session identifier (see column 6, lines 58-66) which includes performing encryption (column 5, lines 61-65). Regarding Claim 4, Applicant further argues that Levergood does not teach or suggest performing adaptive URL processing in response to URL type; however, the Examiner believes that Levergood does disclose this limitation (see column 3, line 56-column 4, line 24, where a "relative link" is processed differently than an "absolute link"; noting that relative and absolute clearly define types of URL links). Regarding Claim 18, Applicant argues that the cited portion of Levergood discloses search of a web page for links and not incorporation of generated links in web page data; however, the Examiner disagrees, and believes that the cited portion does indeed disclose that the generated links are incorporated (see column 6, lines 17-26, where the URL links are augmented with the encrypted SID). In reference to the rejection of Claims 10, 16, 17, 19, and 22 under 35 U.S.C. 103(a), and in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Applicant argues that Berman does not suggest adaptively generating URL fields; however, Levergood was relied upon to show this limitation. Berman was instead relied upon to teach the inclusion of encrypted patient specific information in an electronic communication. Further, Applicant's suggestion of the result of the combination of the Levergood system and the features of Berman is mere conjecture. Additionally, Applicant argues that there would be no motivation to combine Levergood and Berman; however, the Examiner believes that there would be motivation, namely to ensure confidentiality of sensitive data (see Berman, column 2, lines 61-63), as cited in the previous Office action.